

DDA 85-3499/8
23 December 1985

MEMORANDUM FOR: Director of Communications
Director of Finance
Director of Information Services
Director of Information Technology
Director of Logistics
Director of Medical Services
Director of Personnel
Director of Security
Director of Training and Education

20-1

FROM: Harry E. Fitzwater
Deputy Director for Administration

SUBJECT: Uniquely Sensitive Positions

REFERENCE: Memorandum for Multiple Addressees from D/OS,
dated 16 December, Same Subject

1. The DCI has approved Recommendation C of the Inspector General Report on the Howard Case which directs the Director of Security to "(a) identify those areas of information deemed so sensitive that individuals should pass a probationary period and polygraph before getting access; (b) identify the minimum period of performance that should be required before administration of the probationary polygraph to such persons; and (c) report on these subjects to the Executive Committee." In the reference, the Director of Security has asked for comments and advice from each Deputy Director prior to convening a general session with the Deputy Directors to ensure we have a common understanding of the issues. We need each DA Office Director's comments to help in the formulation of a Directorate of Administration position. These questions are:

- (a) What positions would you identify within your Office as "uniquely sensitive positions?" The definition must be tight otherwise numbers will explode beyond practical limits.
- (b) Under what circumstances should special scheduling for suitability screening (including polygraph) be arranged. (reference paragraph 3 b).
- (c) What is a reasonable time of performance short of three years that would give us insights additional to what was learned from an employee's EOD processing?

2. Please send your brief overview comments to the Executive Officer to the DDA by COB 3 January 1986.

[Redacted Signature Box]

Harry E. Fitzwater

Attachment

[Redacted Attachment Box]

SS-3499/2

16 DEC 1985

MEMORANDUM FOR: Deputy Director for Administration
Deputy Director for Intelligence
Deputy Director for Operations
Deputy Director for Science and Technology

FROM:

Director of Security

SUBJECT: Uniquely Sensitive Positions

We recommend the DCI direct the Director of Security, in light of the Howard case and in consultation with the deputy directors: (a) to identify those areas of information deemed so sensitive that individuals should pass a probationary period and polygraph before getting access; (b) to identify the minimum period of performance that should be required before administration of the probationary polygraph to such persons; (c) to report on these subjects to the Executive Committee.

1. The above recommendation, Recommendation C - The IG Report on the Howard Case, has been approved by the DCI. This memorandum constitutes my initial response to this DCI directive. A fuller context of the circumstances prompting this recommendation is attached.

2. The directive reflects a strong view held by the DCI and others that there are certain assignments in the CIA that are uniquely sensitive from a CI perspective and that candidates for these assignments should undergo a suitability update including polygraph prior to their selection.

3. I ask that each of you, concentrating on your own directorate, address the following questions and issues:

- (a) Identification of uniquely sensitive assignments. Obviously the emphasis has to be on uniquely sensitive, taking into account the threat and the damage resulting

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from a compromise. We need to apply tight definitions. Otherwise, the numbers will explode beyond practical limits, undermining what this is all about in the first place.

- (b) Suitability assessments and polygraphing of candidates for uniquely sensitive assignments. Up to now we have depended almost exclusively on EOD, Probationary (PROB) and Reinvestigation (RIP) programs to establish the suitability of a candidate for assignment. To what extent can the selection and assignment schedules be adjusted to meet the normal suitability screening schedules? Under what circumstances should special scheduling for suitability screening (including polygraph) be arranged?
- (c) Minimum period of performance before probationary testing. There are numerous circumstances that require the assignment of probationary employees to sensitive positions prior to the regularly scheduled (3-year) probationary suitability screening. For example, many CTers are posted overseas prior to their PROB anniversary date and are not available for PROB testing until they return to Washington sometime later. The DCI clearly wants a program which would PROB test such employees short of the regular PROB schedule. What is a reasonable time of performance short of 3 years that would give us insights additional to what was learned from their EOD processing?

4. I would like to proceed with concluding this effort as follows:

- (a) A general session with the DDs to be sure we all have a common understanding of the issues. At that time Carroll Hauver will give us a brief IG perspective on this.

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(b) Using each DD's input, I will draft a response to the DCI's directive. We probably should meet again to be sure we have an appropriate integrated position.

(c) Report to the DCI early January.

5. In that we are referring to a full-scope suitability assessment (not just security), I have invited the Director of Personnel and Director of Medical Services to participate.

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Attachment

cc: DDCI
ExDir
IG
D/OP
D/OMS

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APPROVED: 

DISAPPROVED: _____

3. Issue: Should Howard have been chosen for the Moscow assignment? (pp. 8-16 of the report)

Based on the information available at the time, our answer is yes. The choice was grounded on such factors as his successful passage through the EOD process, psychological assessments of both him and his spouse, interim apparently uneventful assignments in two divisions, and training, with no substantial disqualifying evidence in sight.

Had the probationary polygraph (1983) occurred prior to the choice of Howard for Moscow, it would have changed the decision. In fact, we believe it is the polygraph alone that could realistically be expected to have caught him between EOD and the Moscow assignment.

It is difficult to define the line at which information becomes so sensitive that a person should pass a probationary period and polygraph before receiving it, but we believe the Agency should try. We would submit, for example, that the line is crossed when a person gets access to information whose release will not only damage national security, but also certainly and imminently threaten the life of an agent cooperating with us. Others may have other thoughts. We see a need to define such "high-risk information" Agency-wide - and to explore the consequences of making it Agency policy that individuals who are given access must first successfully pass a probationary period and polygraph. Implementation could mean, for example, that no individual would be chosen for assignment to a denied area, or to an entire division such as SE, or to handling related communications, absent successful performance

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in a probationary period elsewhere and on the polygraph. In connection with this, consideration would have to be given to deciding what minimum period of probationary performance elsewhere would suffice. Compromise with the three-year concept would be necessary, we think, to keep people in the pipeline.

We conclude that the Howard case justifies reexamination of the Agency's policy re the probationary period and polygraph and that consideration should be given to adapting the policy to minimize the risks evident in that case.

RECOMMENDATION C:

We recommend the DCI direct the Director of Security, in light of the Howard case and in consultation with the deputy directors: (a) to identify those areas of information deemed so sensitive that individuals should pass a probationary period and polygraph before getting access; (b) to identify the minimum period of performance that should be required before administration of the probationary polygraph to such persons; (c) to report on these subjects to the Executive Committee.

APPROVED: 

DISAPPROVED: _____

85-3499-1

DDA 85-3499/6

10 DEC 1985

MEMORANDUM FOR: Director of Medical Services
Director of Personnel
Director of Security

FROM: Harry E. Fitzwater
Deputy Director for Administration

SUBJECT: Inspector General Report on the Edward L. Howard Case

1. The Director has approved the six recommendations contained in Mr. Hauver's Inspector General's (IG) Report of the Howard Case. These recommendations provide DCI directions to the Director of Personnel and to the Director of Security. The Director of Personnel should chair a working group of the Director of Security and the Director of Medical Services to prepare for DDA signature a joint response to the DCI. You should include the needed regulatory and operating procedure enhancements indicated in the report. Your response should be sent to me by COB 15 January 1986.

2. As you read the IG reports, the DCI's memoranda and the attachments, you will find there are other weaknesses in our system and procedures which you will want to address. Mr. Stein's IG Report on page 30 under "Summing Up" lists seven action suggestions. Tab E to Mr. Stein's report, which is Mrs. Mary C. Howard's letter of 20 July 1984 to Chief, Special Activities Staff/OP, also contains insights of value. I am sure there are other factors of the Howard Case which each of you has considered but may not have been mentioned in the attached papers. Your task here is to study the Howard Case, appreciate the thrust of the DCI's concerns, identify the lessons learned, correct the deficiencies and fine tune our "system." I have attached one complete copy of this Howard package for each addressee. It must be held very tightly and access limited to the absolute need to know. At the conclusion of the study, it should be filed with appropriate controls to continue this need to know requirement.

Harry E. Fitzwater

Attachment:
IG Report on Howard Case

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